

PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 25 2002

GROUP 1600

Applicant(s): Marshall D. Snavely

Serial No.: 09/507,166

Group Art Unit No.: 1653

Filed: February 18, 2000

Examiner: Anish Gupta

For: Enhanced Solubility of Recombinant Proteins

Docket No.: A-496A

COMMUNICATIONAssistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Nola Diamond, assistant to the attorney for Applicant, telephoned Examiner Gupta on April 24, 2002 to inquire about the status of the referenced application. According to the Examiner, he did not receive a response to the Notice to Comply mailed September 26, 2001. Ms. Diamond indicated that a response to the Notice was mailed on October 25, 2001 and also noted that a post card dated January 9, 2002 was received from the USPTO indicating that the response to Notice was received. Unfortunately, after speaking directly with the Examiner today, he communicated that he did not receive that response.

Since this application is a divisional of U.S. Serial No. 08/997,918, filed December 24, 1997, the Examiner requested that we provide him with a statement indicating this fact and instruct the PTO to use the computer readable format filed in the parent application as the computer readable form for this application. Per his request, enclosed is a copy of the Attorney Statement Pursuant to 37 CFR 1.821(e) filed on October 25, 2001 which instructs the PTO to use the only CRF filed in the parent application.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below:

Date

USSN 09/507,166

It is anticipated that this communication will satisfy the requirements of the USPTO, however, if you should require anything further from Applicant, please contact Applicant's attorney at the number below.

Respectfully submitted,



Nancy A. Oleski
Attorney/Agent for Applicant(s)
Registration No.: 34,688
Phone: (805) 447-6504
Date: April 24, 2002

Please send all future correspondence to:
U.S. Patent Operations/NAO
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

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ATTORNEY'S STATEMENT PURSUANT TO 37 CFR § 1.821(e)Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The computer readable form in this application, Serial No. 09/507,166, is identical with that filed in Application Serial No. 08/997,918, filed December 24, 1997. In accordance with 37 CFR §1.821(e), please use the only, computer readable form filed in that application as the computer readable form for this application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used in this application.

In addition, I hereby state that the paper copy of the Sequence Listing in this application and the computer readable form of the Sequence Listing submitted in the parent case are the same and contains no new matter.

Respectfully submitted,

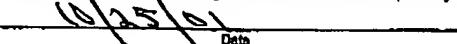


Nancy A. Oleski
Attorney/Agent for Applicant(s)
Registration No.: 34,688
Phone: (805) 447-6504
Date: October 25, 2001

Please send all future correspondence to:
US Patent Operations/NAO
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.


10/25/01
Date
Signature

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APR 25 2002

GROUP 1600

AMGEN INC.
One Amgen Center Driv
Th usand Oaks, Ca 91320
(805) 447-1000

LAW DEPARTMENT

Telecopier Number: (805) 499-8011

TO: Attn: Examiner Anish Gupta
Group Art Unit #1653
U. S. Patent and Trademark Office
Fax No.: 703/308-4242

FROM: Nancy A. Oleski
Fax No.: 805/499-8011
Phone No.: 805/447-6504

DATE: April 24, 2002

RE: US Serial No.: 09,507,166, Filed February 18, 2000
Title: Enhanced Solubility of Recombinant Proteins
Our Ref. No. A-496A

There are a total of 4 pages being transmitted including this cover sheet. If all of the pages are not received, please contact Nola Diamond at (805) 447-2677.

COMMENTS:

Enclosed is a Communication to the Examiner including a copy of the Attorney's Statement Pursuant to 37 CFR 1.821(e), originally mailed on 10/25/01 to the PTO.

No hard copy of this document will follow. Please acknowledge receipt of this document by initialling this facsimile cover sheet and return faxing it to my attention.

Thank you.

BEST AVAILABLE COPY**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, on the date shown below:


May 2002
Date
Signature
Signature of Person Transmitting Facsimile